



UNITED STATES PATENT AND TRADEMARK OFFICE

U. S. Patent and Trademark Office  
Advisory Board on Petitions  
Petitions to the Commissioner

Paper No. 11

IP Department  
Schnader Harrison Segal & Lewis  
36th Floor  
1600 Market Street  
Philadelphia, PA 19103

In re Application of :  
Nakamaru et al. :  
Application No. 10 045,848 : DECISION ON PETITION  
Filed: November 7, 2001 :  
Attorney Docket No. 1315-01 :  
:

This is a decision on the renewed petition filed November 18, 2002, requesting, in effect, that pages 2, 3, 13, 17, and 19 filed on April 11, 2002, be entered as part of the original disclosure.

The petition is **granted**.

The application was filed on November 7, 2001. On March 4, 2002, the Office of Initial Patent Examination mailed a "Notice of Omitted Item(s)" stating that the application had been accorded a filing date of November 7, 2001, and advising applicants that pages 2, 3, 13, 17, and 19 appeared to have been omitted.

Petitioner alleges that pages 2, 3, 13, 17, and 19 were filed with the original application.

All the evidence present in the file has been carefully considered, and is persuasive that pages 2, 3, 13, 17, and 19 were submitted with the original application. The copy of the missing pages submitted on April 11, 2002, will be used for examination purposes.

The Notice mailed March 4, 2002, was sent in error and is hereby vacated.

The Application is being returned to the Office of Initial Patent Examination for further processing with a filing date of November 7, 2001, using the application papers filed on November 7, 2001, and the copy of pages 2, 3, 13, 17, and 19 of the specification filed on April 11, 2002.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (703) 306-5683.

Charles Steven Brantley  
Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy